

REMARKS

Applicant thanks the Examiner for the allowance of claims 1-21. Applicant has amended the drawings and the specification to respond to the Examiner's objection to previously-submitted drawings corrections and to put the application in better form for allowance. The amendments do not introduce any new matter into the application. Applicant respectfully requests entry of the amendments into the record.

Amendments to the Drawings

On page 2 of the Office Action, the Examiner found previously filed amendments to Figures 4 and 5 to not comply with 37 CFR 1.121(d). Concurrently with this Amendment, Applicant hereby submits replacement drawing sheets that comply with 37 CFR 1.121(d). The replacement sheets include a clean copy, as well as an annotated marked-up copy showing the amendments to Figures 4 and 5 (in red).

The amendments to the drawings are explained above under the heading "Amendments to the Drawings." The amendments have been made simply to correct inadvertent errors in the originally-filed drawings. The amendments to the drawings do not introduce any new matter into the application.

Amendments to the Specification

The amendments to the specification are made simply to correct typographical errors and to bring the specification into line with the amended drawings. In paragraphs [0007], [0014], [0030], and [0035], typographical errors have been corrected. In paragraphs [0030], [0035], and [0036], the junction of the upper and lower ellipses is now referred to as the junction centroid and identified by reference number 53. Thus, the junction centroid is identified by reference number 53, and the centroid of the upper ellipse is identified by reference number 54 in both the specification and drawings. In paragraph [0036], the y-coordinate in Figure 5 is now identified by reference number 59, and a sentence referring to the forward-most point 68 of the upper ellipse and its vertical plane 70 has been added. The amendments to the specification do not introduce any new matter into the application.

Comments on Statement of Reasons for Allowance

The Office Action also contains a statement of reasons for the allowance or allowability of claims 1-21. Applicant agrees with the Examiner's conclusions regarding patentability, without necessarily agreeing with or acquiescing in the Examiner's reasoning. Thus, any interpretation with respect to the Examiner's Statement of Reasons for Allowance should not be imputed to the Applicant. In particular, the application is allowable because the prior art fails to teach, anticipate or render obvious the invention as claimed, independent of how the claims are paraphrased. For example, when taken in context with respect to the remaining limitations, none of the cited references teach or suggest an iterative tracking and predicting system that tracks and predicts the movement of an occupant by incorporating the most recent sensor measurement and past predictions into an estimate of the occupant's position, as recited in claim 1.

Applicant further wishes to note that claim 1 recites that the occupant is located "in a seat." The "occupant" (a driver or passenger) will initially be located "in the seat" which is the intended meaning of the phrase "in the seat" within the claims. However, if the occupant is not properly restrained, the occupant may not remain "in the seat," during an accident, for example. As is clear from Applicant's specification, the claimed system will be able to perform the claimed tracking and predicting of the occupant's position even if the occupant leaves or moves relative to the seat. See, for example, Applicant's specification at Fig. 1 and paragraphs 0006, 0028, 0067 and 0085, which describe an exemplary use of the claimed system with an airbag deployment system to determine whether the occupant has moved into an at-risk-zone. Because the at-risk-zone is a predefined area that is too close to an airbag for safe deployment, the occupant may or may not be seated in the seat when moving into the at-risk-zone. Thus, as discussed with the Examiner subsequent to receipt of the statement of reasons for allowance, claim 1 cannot be construed as requiring that the occupant be seated in the seat in all instances or at all times.

Furthermore, claim 4 recites "determining whether an occupant would be in a predefined at-risk-zone," indicating that the occupant is monitored in and out of the seat. Independent claim 1, from which claim 4 depends, must be construed as being broader than dependent claim 4.

In sum, each of the claims stands on its own merits and is independently patentable because of the combination it recites and not because of the presence or absence of any one particular element. In particular, the dependent claims recite independently patentable

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subject matter, as recognized by the Examiner, for example, with respect to his comments concerning the at-risk-zone intrusion indicator, which is recited in claim 4.

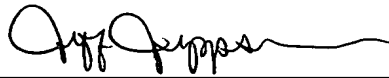
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CONCLUSION

All objections have been addressed. Accordingly, the Examiner is respectfully requested to pass this application to issue. It is believed that any fees associated with the filing of this paper are identified in an accompanying transmittal. However, if any additional fees are required, they may be charged to Deposit Account 00-8018.

Respectfully submitted,

Date: October 8, 2004



Michael B. Stewart, Registration No. 36,018
Jeffrey R. Jeppsen, Registration No. 53,072
Rader, Fishman & Grauer PLLC
39533 Woodward Ave., Suite 140
Bloomfield Hills, Michigan 48304
(248) 594-0600
Attorneys for Applicant
Customer No.: 010291

Title: IMAGE PROCESSING SYSTEM FOR DYNAMIC SUPPRESSION OF AIRBAGS USING
MULTIPLE MODEL LIKELIHOODS TO INFER THREE DIMENSIONAL INFORMATION

Inventor: Michael E. Farmer

Serial Number: 09/901,805

Annotated Marked-up Drawings

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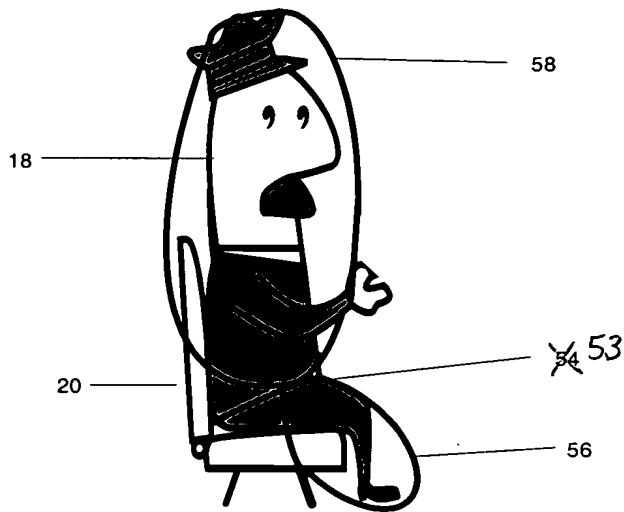
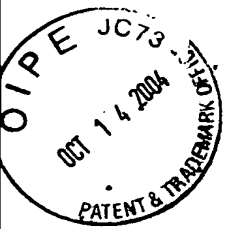


Fig. 4

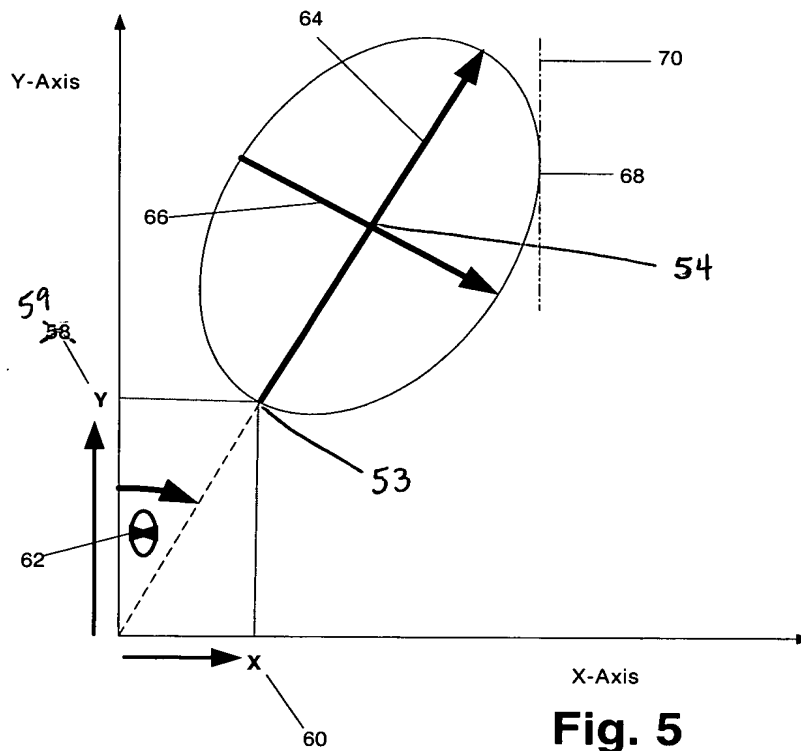


Fig. 5

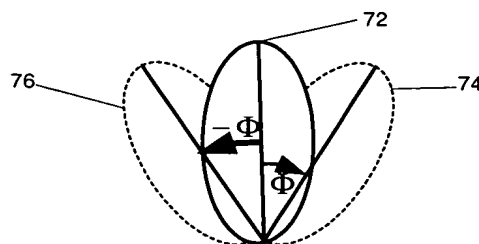


Fig. 6